

U.S. Appln. No. 09/763,760
Reply to Office Action dated May 16, 2005

PATENT
450101-02582

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-18 are pending in this application. Claims 1, 6, 11, and 16-18, which are independent, are hereby amended. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-18 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,691,986 to Pearlstein in view of U.S. Patent No. 6,233,253 to Settle et al.

III. RESPONSE TO REJECTIONS

Independent claims 1, 6, 11, and 16-18 have been amended to clarify that the "timing information" referred to with respect to each of these claims is information contained in the first multiplexed stream and separated therefrom by the separator. It is respectfully submitted that neither Pearlstein nor Settle, whether taken alone or in combination, teach such a feature.

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As understood by Applicant, Settle, on which the Examiner relies for teaching the storage of timing information, does not describe receiving timing information from a multiplexed data stream. Accordingly, it is respectfully submitted that the relied upon combination does not teach each and every limitation of claim 1. For at least these reasons it is respectfully requested that the rejection of claim 1 be withdrawn and claim 1 allowed.

Independent claims 6, 11, and 16-18 recite similar features and are, therefore, believed to be allowable for similar reasons.

IV. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

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CONCLUSION

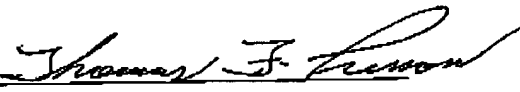
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited reference, or reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800